

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow the Direct Sale of Shellfish to Retailers

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6601, sub-§2, as amended by PL 2005, c. 434, §4, is further amended to read:

2. Licensed activities. The holder of a commercial shellfish license may fish for, take, possess or transport shellfish within the state limits or sell shellstock the holder has taken to a wholesale seafood license holder certified under section 6856 or a retail seafood license holder certified under section 6852. The holder may also sell shellstock the holder has taken from that license holder's home in the retail trade. This license does not authorize the holder to fish for or take shellfish in violation of a municipal ordinance adopted pursuant to section 6671.

Sec. 2. 12 MRSA §6852, sub-§2, as amended by PL 2005, c. 434, §11, is further amended to read:

2. License activity. The holder of a retail seafood license may, in the retail trade within the state limits, buy, sell, transport, ship or serve:

- A. Shellstock and shucked shellfish if they are bought from a wholesale seafood license holder certified under section 6856;
- C. Lobster parts or meat, if they are permitted under section 6857, or have been lawfully imported;
- D. Crayfish; ~~or~~
- E. Lobsters; ~~or~~
- F. Shellstock bought from a commercial shellfish license holder under section 6601.

SUMMARY

Current law does not allow the holder of a retail seafood license to buy shellstock directly from the commercial shellfish license holder that harvests the shellfish but instead must buy shellstock from a wholesale seafood license holder that purchases shellstock from the harvester.

This bill allows a retail seafood license holder to purchase shellstock directly from the harvester.